



U.S. Department of Justice

*United States Attorney
Eastern District of Wisconsin*

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Media Release:

**OAK CREEK MAN CHARGED WITH DEFRAUDING SOCIAL SECURITY
ADMINISTRATION OF APPROXIMATELY \$97,000**

Steven M. Biskupic, United States Attorney for the Eastern District of Wisconsin, announced that a federal grand jury today returned a seven-count indictment against David W. Bates, 42, of Oak Creek, Wisconsin. The indictment charges Bates with five counts of mail fraud, once count of concealing his work status from the Social Security Administration ("SSA"), and another count of making a false statement to the SSA. The most serious counts of the indictment charge Bates with using the United States mail as part of a scheme to defraud the SSA. Each such count carries a maximum penalty of 20 years imprisonment and up to 3 years of supervision. If found guilty of any of the mail fraud counts, Bates would be required to pay restitution, and might also be subject to a fine.

According to the indictment, Bates received approximately \$97,000 in disability insurance benefits ("DIB") from the SSA between 2000 and 2007. Such benefits are reserved for individuals who cannot engage in substantial gainful activity due to a disability. When Bates initially applied for benefits in 2001, he was cautioned that he needed to report to the SSA if he returned to work. According to the indictment, however, Bates was already working at the time he applied for benefits. Specifically, the indictment charges that Bates owned, operated and obtained income from two businesses between 1999 and the present day: a construction business and a business called "DB Entertainment" that sold, among other things, billiard supplies. The indictment also charges that in 2004, when completing paperwork relating to his benefits, Bates falsely stated that he had not worked since becoming disabled.

The case stems from an investigation by the SSA's Office of Inspector General.

According to United States Attorney Steven M. Biskupic, "this kind of fraud is unacceptable because it strikes at the integrity of an important federal program designed to help persons who are unable to work because of a disabling condition."

The public is cautioned that an indictment is merely the formal method of returning charges against an individual and does not constitute evidence of his guilt. A person is presumed innocent until such time, if ever, as the government establishes his guilt beyond a reasonable doubt.

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